1 2 3	Glenn H. Wechsler, State Bar No. 118456 Lawrence D. Harris, State Bar No. 153350 LAW OFFICES OF GLENN H. WECHSLER 1646 N. California Blvd., Suite 450 Walnut Creek, California 94596 Telephone: (925) 274-0200	
45	Attorneys for Defendant FIRST AMERICAN TRUSTEE SERVICING SOLUTIONS, LLC	
6 7	UNITED STATES DISTRICT COURT	
8	NORTHERN DISTRICT OF CALIFORNIA	
9 10	RANDY MEADOWS,) CASE NO. 4:11-cv-05754-YGR
11	Plaintiff,) Assigned to: Hon. Yvonne Gonzalez Rogers
12	vs.) [PROPOSED] ORDER ON
13	FIRST AMERICAN TRUSTEE	STIPULATION OF NON-MONETARY STATUS OF DEFENDANT FIRST
14	SERVICING SOLUTIONS, LLC, et al,	AMERICAN TRUSTEE SERVICING SOLUTIONS, LLC
15	Defendants.))
16		
17	Pursuant to the Stipulation of Non-Monetary Status of Defendant First American Trustee	
18		
19	Servicing Solutions, LLC ("FATSS" or "LOANSTAR"), filed with the Court on December 8, 2011, and	
20	good cause appearing therefor;	
21	IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:	
22	WHEREAS, Plaintiff filed this action for damages and equitable relief on November 30, 2011,	
23	regarding a deed of trust foreclosure involving real property located at, and commonly known as 6540	
24	Springpath Lane, San Jose, California (the "Property").	
25	WHEREAS, LOANSTAR is the successor foreclosure trustee under the deed of trust that is the	
26	subject of this action ("Deed of Trust"), appointed by the beneficiary Wells Fargo. In that capacity	
27	subject of this action (Deed of Trust), appointe	a by the beheliciary wens rargo. In that capacity,
28		

[PROPOSED] ORDER ON STIPULATION OF NON-MONETARY STATUS OF DEFENDANT FIRST AMERICAN TRUSTEE SERVICING SOLUTIONS LLC – PAGE 1 OF 2 CASE NO. 4:11-cv-05754-YGR

LOANSTAR was not involved in the initiation or servicing of the subject loan, but rather acted solely as a foreclosure trustee in the initiation of non-judicial foreclosure proceedings;

WHEREAS, LOANSTAR has been named as a necessary defendant in this action solely in its capacity as a trustee under the deed of trust, and has not been named as a defendant due to any known acts or omissions on its part in the performance of its duties as a trustee;

WHEREAS, the Federal Rules of Civil Procedure do not provide for LOANSTAR, as a non-judicial foreclosure trustee, the option of filing a Declaration of Non-Monetary Status, pursuant to the provisions of California Civil Code § 2924*l*, in lieu and instead of an answer or other response to Plaintiff's Complaint;

WHEREAS, LOANSTAR is nevertheless prepared to consent and agree to be bound by the order or judgment of this Court in the within action as provided by said Cal. Civil Code § 2924*l*, so long as such order or judgment does not contain an award of money damages, costs, attorney's fees or other affirmative relief against LOANSTAR;

Accordingly, LOANSTAR is not required to respond to the Complaint, respond to discovery requests, or otherwise further participate in this action.

SO ORDERED,

Dated: May 11, 2012

YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE